



Image RCE/1636/4

MAIL STOP RCE
PATENT
0548-1003-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of:

Charbel MASSAAD et al.

Serial No. 09/808,388

Filed March 14, 2001

Conf. 3321

Group 1636

Examiner G. Leffers, Jr.

INFLAMMATION UNDOCIBLE HYBRID
PROMOTERS, VECTORS COMPRISING THEM
AND USES THEREOF

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 29, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

01/30/2004 YPOLITE1 00000068 09808388

01 FC:2801
02 FC:1253

385.00 OP
420.00 OP

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

- ☒ An After Final Amendment previously filed on December 11, 2003, under 37 C.F.R. § 1.116 but unentered, in the present application.
- ☐ Arguments in the Appeal Brief or Reply Brief previously filed on .
- ☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY FILED	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	RATE	FEE
Total Claims	27	23	0	x\$18 =	\$0.00
Independent Claims	4	4	0	x\$86 =	\$0.00
TOTAL CLAIM FEE(S)					\$0.00

- ☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.
- ☐ Other:

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☒ \$385.00 - small entity
- ☐ \$770.00 - large entity

- ☒ The applicants hereby petition for an extension of two (2) months pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
- ☐ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.
- ☒ An extension of one (1) month was previously requested and paid for on December 11, 2003 in the instant application. Thus, a fee of \$420.00 is required to obtain an additional two (2) months extension.

- ☒ Enclosed is a check in the amount of \$805.00 for the applicable filing fee, additional claims fee, and/or extension fees.
- ☐ Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

YOUNG & THOMPSON

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PD/lk

Attachments

Revised 0/0/0000